

REMARKS

In the Office Action mailed May 6, 2003, the Examiner noted that claims 1, 6-9 and 11-16 were pending, and rejected all claims. Claims 1 and 11 have been amended, and, thus, in view of the forgoing claims 1, 6-9 and 11-16 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

On page 3 of the Office Action the Examiner rejected claim 1, 6, 8 and 11-14 under 35 U.S.C. § 102 as anticipated by Ballard. Page 5 of the Office Action rejects claims 7, 9, 15 and 16 under 35 U.S.C. § 103 over Ballard.

As discussed with the Examiners in an interview of August 19, 2003, Ballard is directed to a system that displays advertisements to a computer end user through an end user computer 14. The type of advertisement is customized for the end user based on demographic and affinity data collected about the user (see col. 1, line 63-col. 2, line 10 & col. 7, line 50-col. 8, line 6). That is, the advertisements are personal and private advertisements for the particular end user.

In contrast, as also discussed with the Examiners, the present invention is directed to a system that includes a smart billboard that displays an advertising "image" where the billboard is the traditional type of billboard in that it displays advertisements "to the public" in a "public space accessible by the public." Such public spaces could be in a shopping mall or retail outlet, on a side of a building or along a roadway. The smart billboard of the present invention obtains a new advertisement or "further image" when the time of the current advertisement expires or at the "expiry" of an "allocated time" (see claims 1 and 11)

As noted and acknowledged by the Examiners in the interview, Ballard does not teach or suggest such features.

It is submitted that the invention of independent claims distinguishes over the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 8 emphasizes the ability to monitor the advertisement being displayed by the smart billboard. Ballard does not teach or suggest such. It is submitted that the dependent claims are independently patentable over the prior art.

It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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